

REMARKS

To more particularly recite the presently claimed invention, Applicant has amended claims 1-2, 4-10, 12-13 and 15-17, and canceled claims 3, 11, 14 and 18-20 to more particularly recite what Applicant regards as his invention. It is believed that no new matter is added to the amended claims.

The claims have been amended to cover a particular aspect of the present invention, which provides, e.g., in claim 1, a vehicle tire comprising voids comprising removable inserts, o-rings or plugs that comprise at least one scent or fragrance that is released by friction, heat or wear when the vehicle with the vehicle tire is driven.

On page 2 of the Office Action, the Examiner objects to page 1 of the specification for the lack of reference to 35 USC 119(e) after listing priority benefit. Applicant has amended the specification at page 1 as suggested by the Examiner. Applicant requests reconsideration and withdrawal of this objection.

On page 2 of the Office Action, the Examiner objects to claims 1-20 under 35 USC 112, second paragraph, asserting that the use of the term “tire is a rest” in claim 1, line 6, should be “tire is at rest”. Applicant has deleted this term, rendering this objection moot. Reconsideration and withdrawal are requested.

On page 2-3 of the Office Action, the Examiner objects to claims 1-20 under 35 USC 112, second paragraph, asserting that the use of various terms is unclear. The Examiner objects to the terms novelty, unique, aroma, salient, distinctive and marketable feature, in claims 1-20, as well as “intended for and allows” in claim 6, with regard to novelty plug and insert, are considered unclear by the Examiner. Applicant has amended the claims to remove these terms, rendering this rejection moot. Reconsideration and withdrawal are requested.

The Examiner objected to the recitation of void in Claim 6 as unclear as to whether void or tire is being claimed. Applicant has amended his claim to recite tire, and reconsideration and withdrawal are requested.

The Examiner objects to claims 10-20 as ambiguous as to what is being claimed, including terms such as permutation, may be installed, customization to comprise endless variants, antecedent basis for installation in claim 19, erodible material composition in claims 11-12, requirement of tire or plug in claims 18-20.

Applicant has amended or canceled the objected to claims to address these objections and submits that the presently amended claims are definite and clear under 35 USC 112, second paragraph. Applicant requests reconsideration and withdrawal of these objections.

On pages 3-4 of the Office Action, Claims 2, 3, and 14 are objected to under 37 CFR 1.75(c) as being of improper dependent form for failing to further limit the subject matter of the previous claim.

Applicants has amended claims 2 and 3 and canceled claim 14 to be of proper dependent form and requests reconsideration and withdrawal of this objection.

On pages 4-5 of the Office Action, the Examiner rejects claims 1 and 5 under 35 USC section 102(a) and (b) as being anticipated by Japan 873 (JP 2002 -114873). The Examiner asserts that this reference discloses a pneumatic tire comprising perfume-containing particles provided as part of the tread material, which emit aroma and inherently having the color black.

Applicant has amended rejected independent claim 1 (and dependent claim 5) to incorporate the void, insert, and plug elements of claim 6 into claim 1, rendering this rejection moot. Reconsideration and withdrawal of this rejection is requested.

On page 5 of the Office Action, the Examiner rejects claims 1 and 5 under 35 USC section 102(b) as being anticipated by Japan 003 (JP 7 -69003). The Examiner asserts that this reference discloses a pneumatic tire comprising perfume in outer

surface included in rubber composition of the tread or spraying perfume on the tread, emitted when tire is displayed in the store.

Applicant has amended rejected independent claim 1 (and dependent claim 5) to incorporate the void, insert, and plug elements of claim 6 into claim 1, rendering this rejection moot. Reconsideration and withdrawal of this rejection is requested.

On page 5 of the Office Action, the Examiner rejects claim 2 under 35 USC 103(a) as unpatentable over Japan 873 or Japan 003, in view of Berliner (US 5278141), for the reasons presented in the Office Action.

The presently claimed invention covers vehicle tires comprising removable plugs, o-rings or inserts that comprise at least one perfume or fragrance that is given off due to wear, heat or friction when the tire is driven on, which invention is not suggested or taught by the cited references, alone or in combination. Additionally there is no motivation to combine the teachings of the cited references to provide the presently claimed combination.

Japan 873 and Japan 003 fail to suggest the presently claimed invention and Berliner disclosing (according to the Examiner) combining pheromones with fragrances fails to make up for the deficiencies of the primary references.

Accordingly, the cited references fail to disclose, teach or suggest each and every element of the present claims. The present claims distinguish over the cited reference(s). Applicant respectfully requests reconsideration and withdrawal of this rejection.

On page 5-6 of the Office Action, the Examiner rejects claims 3 and 4 under 35 USC 103(a) as unpatentable over Japan 873 or Japan 003, in view of Williams (US 6220199), for the reasons presented in the Office Action.

The presently claimed invention covers vehicle tires comprising removable plugs, o-rings or inserts that comprise at least one perfume or fragrance that is given off due to

wear, heat or friction when the tire is driven on, which invention is not suggested or taught by the cited references, alone or in combination. Additionally there is no motivation to combine the teachings of the cited references to provide the presently claimed combination.

Japan 873 and Japan 003 fail to suggest the presently claimed invention and Williams suggesting (according to the Examiner) viscous wear warning liquid (not presently claimed) fails to make up for the deficiencies of the primary references.

Accordingly, the cited references fail to disclose, teach or suggest each and every element of the present claims. The present claims distinguish over the cited reference(s). Applicant respectfully requests reconsideration and withdrawal of this rejection.

On page 6-8 of the Office Action, the Examiner rejects claims 3-11 and 13-20 under 35 USC 103(a) as unpatentable over Japan 873 or Japan 003, in view of one of Coben (US 2272891), Japan 908, and French 340, for the reasons presented in the Office Action.

The presently claimed invention covers vehicle tires comprising removable plugs, o-rings or inserts that comprise at least one perfume or fragrance that is given off due to wear, heat or friction when the tire is driven on, which invention is not suggested or taught by the cited references, alone or in combination. Additionally there is no motivation to combine the teachings of the cited references to provide the presently claimed combination.

Japan 873 and Japan 003 fail to suggest the presently claimed invention and Coben, Japan 908 and French 340 suggesting (according to the Examiner) colored o-rings or grooves for a particular color scheme or colored rubber or tearable cell wear indicator (not presently claimed) fails to make up for the deficiencies of the primary references.

Accordingly, the cited references fail to disclose, teach or suggest each and every element of the present claims. The present claims distinguish over the cited

reference(s). Applicant respectfully requests reconsideration and withdrawal of this rejection.

On page 8 of the Office Action, the Examiner rejects claims 4, 5, 11 and 13, under 35 USC 103(a) as unpatentable over Japan 873 or Japan 003, in view of at least one of Coben, Japan 908 and French 340 as above, and further in view of Korea (KR 2004029611), for the reasons presented in the Office Action.

The presently claimed invention covers vehicle tires comprising removable plugs, o-rings or inserts that comprise at least one perfume or fragrance that is given off due to wear, heat or friction when the tire is driven on, which invention is not suggested or taught by the cited references, alone or in combination. Additionally there is no motivation to combine the teachings of the cited references to provide the presently claimed combination.

Japan 873 and Japan 003 fail to suggest the presently claimed invention and Coben, Japan 908 and French 340 suggesting (according to the Examiner) colored o-rings or grooves for a particular color scheme or colored rubber or tearable cell wear indicator (not presently claimed) fails to make up for the deficiencies of the primary references, as does Korea's suggestion of a "fragrant material" for wear indication in a tread.

Accordingly, the cited references fail to disclose, teach or suggest each and every element of the present claims. The present claims distinguish over the cited reference(s). Applicant respectfully requests reconsideration and withdrawal of this rejection.

On page 9 of the Office Action, the Examiner rejects claim 12 under 35 USC 103(a) as unpatentable over Japan 873 or Japan 003, in view of at least one of Coben, Japan 908 and French 340 as above, and further in view of Stack (CA 2212021), for the reasons presented in the Office Action.

The presently claimed invention covers vehicle tires comprising removable plugs, o-rings or inserts that comprise at least one perfume or fragrance that is given off due to

wear, heat or friction when the tire is driven on, which invention is not suggested or taught by the cited references, alone or in combination. Additionally there is no motivation to combine the teachings of the cited references to provide the presently claimed combination.

Japan 873 and Japan 003 fail to suggest the presently claimed invention and Coben, Japan 908 and French 340 suggesting (according to the Examiner) colored o-rings or grooves for a particular color scheme or colored rubber or tearable cell wear indicator (not presently claimed) fails to make up for the deficiencies of the primary references, as does Stack's suggestion of a reflective strip or groove to increase safety (not presently claimed).

Accordingly, the cited references fail to disclose, teach or suggest each and every element of the present claims. The present claims distinguish over the cited reference(s). Applicant respectfully requests reconsideration and withdrawal of this rejection.

Application No. 10/822,049

Art Unit: 1733

Applicant Response to 03-14-06 Office Action

June 14, 2006

Applicant respectfully requests reconsideration and allowance of the present claims.

The Examiner is invited to contact Applicant with any questions or comments.

Respectfully submitted,

A handwritten signature in black ink that reads "Ronald J. Rosenberger". The signature is written in a cursive, flowing style.

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Date: June 14, 2006